



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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ALHAMBRA, CALIFORNIA 91802-1460

February 17, 2005

IN REPLY PLEASE  
REFER TO FILE: **MP-5**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF INTENTION TO VACATE  
PORTIONS OF PIONEER BOULEVARD AND FLORAL DRIVE - WHITTIER  
FUTURE PUBLIC HEARING  
SUPERVISORIAL DISTRICT 4  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Adopt the enclosed Resolution of Intention to Vacate with Reservation, portions of Pioneer Boulevard and Floral Drive located in the unincorporated County area, vicinity of Whittier, pursuant to Section 8320, et seq., of the California Streets and Highways Code.
2. Set the matter for hearing not less than 15 days from the adoption of the Resolution pursuant to Section 8320 of the California Streets and Highways Code.
3. Instruct the Executive Officer of the Board to publish the enclosed Notice of Proposed Vacation pursuant to Section 8322 of the California Streets and Highways Code.

**AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:**

Adopt the enclosed Resolution to Vacate with Reservations on the date of the hearing, pursuant to Section 8324 of the California Streets and Highways Code, after finding that:

1. The vacation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. The areas proposed to be vacated are no longer needed for present or prospective public use and are not useful as nonmotorized transportation facilities.
3. The public convenience and necessity require the reservation and exception of easements and rights as set forth in Section 8340 of the California Streets and Highways Code.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Mr. Abel Gervacio and Mr. Jose Tinoco, the underlying fee owners/petitioners, initiated the vacation of portions of Pioneer Boulevard and Floral Drive in order to remove from the record all public easement rights in the proposed vacation areas.

Pioneer Boulevard (formerly Guirado Avenue), designed as a major highway (100 feet wide), has been realigned, relocated, and downgraded to a local street (60 feet wide). Pioneer Boulevard and Floral Drive are currently built to their ultimate width. The excess rights of way require periodic maintenance due to overgrown vegetation, weeds, and illegal dumping.

It is in the County's best interest to vacate the rights of way since they no longer serve the purpose for which they were dedicated and are not required for general public access, circulation, or for bicycle paths and trails. Vacation and abandonment of portions of Pioneer Boulevard and Floral Drive will not cut off access to any adjacent properties or negatively impact the property of others. The vacation also allows Public Works to divest itself of unnecessary and excess rights of way.

#### **Implementation of Strategic Plan Goals**

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the rights of way will result in added revenue through assessment and taxation, eliminate unnecessary maintenance costs, and remove possible County exposure to liability.

### **FISCAL IMPACT/FINANCING**

Vacation of portions of Pioneer Boulevard and Floral Drive will not have a negative fiscal impact on the County's budget. A fee of \$1,500 has been paid by the petitioners to defray the expenses of investigation, mailings, publication, and posting. The fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The areas to be vacated contain approximately 4,192 square feet and are shown on the map attached to each Resolution.

The County's interest was acquired as an easement for road and highway purposes in Tract No. 15943, recorded in Book 357, pages 10, 11, and 12, of Maps, in the Office of the Recorder of the County of Los Angeles.

The Public Streets, Highways and Service Easement Vacation Law allows your Board to voluntarily relinquish the County's interest and terminates the public's rights over a street or highway. Adoption by your Board of the Resolution to Vacate with Reservations terminates the rights of the public to the vacated areas and disposes of excess County rights of way. Your action will also result in the property being unencumbered of the public easement, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated areas.

### **ENVIRONMENTAL DOCUMENTATION**

This proposed vacation is categorically exempt from CEQA, as specified in Sections 15301, 15304, 15305, and 15321 of the State CEQA Statutes and Guidelines, and as specified in Classes 1, 4, 5, and 21 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The County of Los Angeles Fire Department has determined that fire and medical emergencies will not be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation of portions

The Honorable Board of Supervisors  
February 17, 2005  
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of Pioneer Boulevard and Floral Drive is not in conflict with the County-adopted General Plan. Utility easements for facilities owned by Southern California Edison Company will be reserved pursuant to Sections 8340 and 8341 of the California Streets and Highways Code.

### **CONCLUSION**

This action is in the County's best interest. Enclosed are a Resolution of Intention to Vacate with Reservation and a Resolution to Vacate with Reservations, approved as to form by County Counsel, vacating portions of Pioneer Boulevard and Floral Drive. Upon adoption of the Resolution of Intention to Vacate with Reservation, please transmit two conformed copies of the Resolution and the Notice of Proposed Vacation to Public Works, which will post the notices pursuant to California Streets and Highways Code Section 8323. Upon adoption of the Resolution to Vacate with Reservations, please return one executed original, together with two conformed copies and a copy of the Board's minute order, for further processing. Public Works will record the Resolution to Vacate with Reservations and return the executed original Resolution to you when recorded. In the interim, please retain one executed original for your files.

One approved copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE  
Acting Director of Public Works

CVC:bw  
P5:235D:PIO/FLO

Enc.

cc: Chief Administrative Office  
County Counsel

## **RESOLUTION OF INTENTION TO VACATE WITH RESERVATION**

WHEREAS, it is proposed that portions of Pioneer Boulevard and Floral Drive, southeast of Obregon Street, vicinity of Whittier, in the unincorporated area of the County of Los Angeles, State of California, be vacated as public/County highways; and

WHEREAS, the proposed vacation has been approved by the Acting Director of the County of Los Angeles Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, that it is the intention of said Board of Supervisors to order that the aforementioned rights of way legally described in Exhibit "A" and as shown by the map in Exhibit "B," both attached hereto and incorporated herein by this reference, covering the rights of way in the County of Los Angeles, State of California, be vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code of the State of California, commencing with Section 8320.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the hour of \_\_\_\_\_ a.m./p.m. of said day, is the day and hour, and the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by the Board of Supervisors when and where any and all persons having objections to the proposed vacation may appear before said Board of Supervisors and show cause why said proposed vacation should not be made in accordance with this Resolution.

IT IS FURTHER ORDERED that notices of such proposed vacation be conspicuously posted, along the lines of the areas proposed to be vacated, in the manner and in the form required by law, and shall cause same to be published in a newspaper of general circulation published in the County, for at least two successive weeks prior to the day fixed for the hearing.

The foregoing Resolution was on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted and ordered by the Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

By \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy

**NOTICE OF PROPOSED VACATION OF  
PORTIONS OF PIONEER BOULEVARD AND FLORAL DRIVE,  
IN THE VICINITY OF WHITTIER, IN THE  
FOURTH SUPERVISORIAL DISTRICT**

**NOTICE IS HEREBY GIVEN** that a Resolution of Intention was adopted by the Board of Supervisors of the County of Los Angeles on \_\_\_\_\_ 20\_\_, declaring its intention to vacate, with reservations, portions of Pioneer Boulevard and Floral Drive, southeast of Obregon Street (Whittier, CA 90606), in the unincorporated portion of the County of Los Angeles, State of California, in the Fourth Supervisorial District, as described in Exhibit "A" and as shown by the map in Exhibit "B," both attached hereto and incorporated herein by this reference.

The vacation proceeding is conducted pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320.

A hearing on the proposed vacation will be held in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, on \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ a.m./p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, adopted \_\_\_\_\_, 20\_\_\_\_\_.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy

## **RESOLUTION TO VACATE WITH RESERVATIONS**

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, did on \_\_\_\_\_, 20\_\_\_\_, adopt the Resolution of Intention to Vacate as public/County highways portions of Pioneer Boulevard and Floral Drive, southeast of Obregon Street, vicinity of Whittier, in the County of Los Angeles, State of California, legally described in Exhibit "A" and shown by map in Exhibit "B," both attached to said Resolution; pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code of the State of California, commencing with Section 8320; and

WHEREAS, pursuant to said Resolution, notice of the proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation \_\_\_\_\_, 20\_\_\_\_; and

WHEREAS, said Board of Supervisors has found and determined that the areas to be vacated are no longer necessary for present or prospective public use based upon the following facts: That the subject rights of way are not required for general public access or circulation, and are not useful as non-motorized transportation facilities.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced rights of way are hereby vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; reserving and excepting therefrom an easement for public utility purposes in favor of Southern California Edison Company as set forth in Sections 8340 and 8341 of said Streets and Highways Code;

AND BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the original Resolution in the Office of the Recorder of the County of Los Angeles, at which time the areas vacated will no longer be public/County streets or highways.



The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted by the Board of Supervisors of the County of Los Angeles, State of California.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy

**PIONEER BOULEVARD  
AND FLORAL DRIVE  
AMB 8130-020 & 021  
T.G. 676 J/4  
I.M. 37 A/4 (099-257)  
S.D. 4  
M0488124**

**EXHIBIT "A"**

**Legal Description  
(Vacation)**

**PARCEL NO 1:**

Those certain portions of PIONEER BOULEVARD (formerly GUIRADO AVENUE), 100 feet and variable width, and FLORAL DRIVE, 60 feet and variable width, in the unincorporated territory of the County of Los Angeles, State of California, as shown on and dedicated to the public use, by map of TRACT No. 15943, recorded in Book 357, pages 10, 11 and 12, of Maps , in the Office of the Recorder of said county, within the following described boundaries:

**Part A:**

Beginning at the most northerly corner of Lot 1 of said tract; thence northwesterly along the northwesterly prolongation of the northeasterly line of said lot to a line parallel with and 30 feet southeasterly measured at right angles from the center line of Pioneer Boulevard (formerly Guirado Avenue) as shown in said tract; thence southwesterly along said parallel line to a point, said point being the beginning of a curve concave to the east and having a radius of 13 feet, tangent to said parallel line and tangent to the northwesterly prolongation of the southwesterly line of said lot; thence southwesterly and southeasterly along said curve to said last mentioned northwesterly prolongation; thence southeasterly along said last mentioned prolongation to a point, said point being 43 feet northwesterly from the most southerly corner of said lot; thence northerly and northeasterly along the westerly and northwesterly lines of said lot to the point of beginning.

**Part B:**

Beginning at the most westerly corner of Lot 59 of above mentioned tract; thence along the northwesterly and northerly boundaries of said lot, North 39°00'50" East a distance of 85.00 feet; thence North 83°49'19" East a distance 24.12 feet; thence

along the northwesterly prolongation of the northeasterly line of said lot, North 51°22'12" West a distance of 24.08 feet, to the beginning of a tangent curve, concave to the south and having a radius of 13 feet; thence northwesterly and southwesterly along said curve an arc length of 20.33 feet, to the beginning of a compound curve concave to the southeast and having a radius of 237.84 feet, a radial of said curve to said point bears North 50° 59' 31" West; thence southwesterly along said last mentioned curve an arc length of 64.57 feet, to a tangent line, said tangent line lying 40 feet southeasterly, measured at right angles, from the center line of Pioneer Boulevard, 40 feet wide, as shown on County Surveyor's Filed Map No. 21497, Sheet 5, on file in the Office of the Director of the Department of Public Works of said county; thence southwesterly along said tangent line to its intersection with the northwesterly prolongation of the southwesterly line of said lot; thence southeasterly along said last mentioned prolongation to the point of beginning.

RESERVING all easements and rights to Southern California Edison Company, in, on, over and across the above-described portions of Pioneer Boulevard and Floral Drive herein being vacated.

The reservation herein being made is done in accordance with the provision of Sections 8340 and 8341 of the Streets and Highways Code of the State of California.

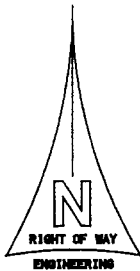
Containing: 4,192± square feet.

Description Approved

DONALD L. WOLFE  
Acting Director of Public Works

By \_\_\_\_\_  
Deputy

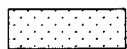
This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the Land Surveyors Act.



**SUBJECT  
LOCATION**

## EXHIBIT "B"

### LEGEND



Proposed Vacation  
of Right of Way

Area = 4192± S. F.

### REVISIONS

1. 2.

### DEPARTMENT OF PUBLIC WORKS

### MAPPING & PROPERTY MANAGEMENT DIVISION

S.D.  
4

R.D.  
446

A.M.B.  
8130-020 & 021

T.G.  
676 J/4'

**PIONEER BOULEVARD  
AND FLORAL DRIVE**

DRAWING NO.  
**M0488124**

SCALE  
NONE

DATE  
7/23/03

I.M.  
37 A/4 (099-257)

Previously  
M0388116